

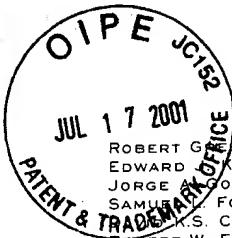
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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

July 17, 2001

**WRITER'S DIRECT NUMBER:**  
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Commissioner for Patents  
Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 09/824,787; Filed: April 4, 2001  
For: **Gene Differentially Expressed in Breast and Bladder  
Cancer, and Encoded Polypeptides**  
Inventors: ZAUDERER *et al.*  
Our Ref: 1821.0040001/EKS/TJS

Sir:

In reply to the Notice to File Missing Parts of Application--Filing Date Granted and Notice to Comply with Sequence Rules dated **July 17, 2001**, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. Copy of the Notice to File Missing Parts;
3. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
4. Substitute paper and computer readable copy of the Sequence Listing;
5. Original Declaration, executed by the inventors;

Commissioner for Patents  
July 17, 2001  
Page 2

6. Return postcard; and
7. Our check No. 31928 for \$ 130.00 to cover surcharge for late filing of Declaration (37 C.F.R. § 1.16).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In accordance with 37 C.F.R. § 1.821(f), the paper copy and the computer readable copy of the Sequence Listing submitted herewith are the same. In accordance with 37 C.F.R. § 1.821(g), the submission of this sequence listing includes no new matter.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Timothy J. Shea, Jr.  
Attorney for Applicants  
Registration No. 41,306

TJS/slw  
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 130.00)

**Complete if Known**

Application Number	09/824,787
Filing Date	April 4, 2001
First Named Inventor	Maurice Zauderer
Examiner Name	To be Assigned
Group Art Unit	To be Assigned
Attorney Docket No.	1821.0040001/EKS/TJS

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)							
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:		3. ADDITIONAL FEES Large Entity      Small Entity							
Deposit Account Number	19-0036	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		Fee paid	
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	105	130	205	65	Surcharge - late filing fee or oath		130.00	
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		127	50	227	25	Surcharge - late provisional filing fee or cover sheet			
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		139	130	139	130	Non-English specification			
2. <input checked="" type="checkbox"/> Payment Enclosed:		147	2,520	147	2,520	For filing a request for ex parte reexamination			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*		112	920*	112	920*	Requesting publication of SIR prior to Examiner action			
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action			
FEE CALCULATION									
1. BASIC FILING FEE									
Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee	Fee Description	Fee Paid				
101	710	201	355	Utility filing fee					
106	320	206	160	Design filing fee					
107	490	207	245	Plant filing fee					
108	710	208	355	Reissue filing fee					
114	150	214	75	Provisional filing fee					
SUBTOTAL (1) (\$ 0									
2. EXTRA CLAIM FEES									
Extra	Fee from below	Fee Paid							
Total Claims 40	- 40** = 0	X 18.00	= 0						
Indep. Claims 8	- 8** = 0	X 80.00	= 0						
Multiple Dependent		270.00	= 0						
Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee	Fee Description					
103	18	203	9	Claims in excess of 20					
102	80	202	40	Independent claims in excess of 3					
104	270	204	135	Multiple dependent claim					
108	80	209	40	**Reissue independent claims over original patent					
110	18	210	9	**Reissue claims in excess of 20 and over original patent					
SUBTOTAL (2) (\$ 0									
*Reduced by Basic Filing Fee Paid									
SUBTOTAL (3) (\$ 130.00									

\*\* or number previously paid, if greater. For Reissues, see above

## SUBMITTED BY

**Complete (if applicable)**

Name (Print/Type)	Timothy J. Shea, Jr. 	Registration No. (Attorney/Agent)	41,306	Telephone	202-371-2600
Signature				Date	July 17, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. P:\USERS\SWILLIAM\TJS\Folder (New)\1821.0040001\Reply to ntfmp-fee



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/824,787	04/04/2001	Maurice Zauderer	1821.0040001

26111  
STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W., SUITE 600  
WASHINGTON, DC 20005-3934

CONFIRMATION NO. 2970

## FORMALITIES LETTER



\*OC00000006087817\*

Date Mailed: 05/17/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

07/18/2001 MABDI1 00000103 09824787

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130.00 DP

*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE